

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EMMANUEL QUENTIN WYLIE,

Plaintiff,

vs.

12345 THIRD ST., HIGHLAND
PARK, MI 48203, et al.,

Defendants.

2:19-CV-12166-TGB

**ORDER GRANTING
APPLICATION TO PROCEED
IN FORMA PAUPERIS AND
SUMMARILY DISMISSING
CASE**

On July 24, 2019, Plaintiff filed a Complaint that appears to seek condemnation of property located at 12345 3rd Street, Highland Park, Michigan. ECF No. 1. Plaintiff did not pay the filing fee, instead seeking to proceed *in forma pauperis*. ECF No. 2. Because the Complaint is frivolous and fails to state a claim on which relief can be granted, the Court will **GRANT** Plaintiff's application to proceed *in forma pauperis* and **DISMISS** the Complaint.

When a person seeks to proceed in court without prepayment of fees (*in forma pauperis*), the Court must determine whether the action is “frivolous” or “fails to state a claim upon which relief may be granted.” 28

U.S.C. § 1915(e)(2)(B)(i)-(ii). If so, the Court must dismiss the Complaint. *Id.* An action is frivolous if “it lacks an arguable basis either in law or in fact.” *Nietzke v. Williams*, 490 U.S. 319, 325 (1990).

Plaintiff’s Complaint is a nonsensical jumble of irrelevant legal phrases and citations that appear to be seeking to justify the condemnation of certain real and personal property by eminent domain. Eminent domain is “[t]he inherent power of a governmental entity to take privately owned property . . . and convert it to public use, subject to reasonable compensation for the taking.” *Black’s Law Dictionary, eminent domain* (11th ed. 2019). Plaintiff is not a governmental entity and alleges no facts sufficient for the Court to conclude that he is acting with delegated governmental authority.

Plaintiff’s Complaint has no basis in law or fact. It therefore fails to state a claim on which relief can be granted and is frivolous. For these reasons, the Court **GRANTS** Plaintiff’ application to proceed *in forma pauperis* but **DISMISSES** the Complaint with prejudice.

IT IS SO ORDERED.

DATED this 31st day of October, 2019.

BY THE COURT:

/s/Terrence G. Berg

TERRENCE G. BERG

United States District Judge